

REMARKS

Re-examination and allowance of the present application is respectfully requested.

Initially, Applicants note that the Examiner inadvertently failed to confirm Applicants' claim of priority, and that a certified copy of the priority document has been received in the parent application (i.e., U.S. Patent Application No. 09/548,744, now U.S. Patent 6,711,620). Applicants respectfully request such confirmation in the next official communication.

Applicants also note that the Examiner inadvertently failed to indicate the acceptability of the drawings in the application. Applicants assume that the drawings are acceptable, and respectfully requests such confirmation in the next official communication.

The Examiner objects to the title of the application as being non-descriptive. By the current amendment, Applicants replace the originally submitted title with a new title that is believed to be clearly indicative of the invention to which the claims are directed. In view of the current amendment to the title, Applicants submit that the ground for the objection to the title no longer exists, and respectfully requests withdrawal of this ground of objection.

Applicants respectfully traverse the provisional 35 U.S.C. § 101 rejection of claims 1-6 as claiming the same invention as that of claims 1-9 of co-pending Application No. 10/721,415; claims 1-4 of co-pending Application No. 10/721,416; claims 1-8 of co-pending Application No. 10/755,268; claims 1 and 2 of co-pending Application No. 10/756,539; and claims 1-4 of co-pending Application No. 10/756,503. Applicants further respectfully traverse the various provisional non-statutory doubling patenting rejections set forth against the claims as being the same or not patentably distinct from various claims in co-pending Application Nos. 10/721,415; 10/721,416; 10/756,268; 10/756,539; 10/756,503; and U.S.

By the current amendment, Applicants cancel claims 1-6 and submit new claims 7-19 for the Examiner's consideration. The present invention, as defined by the claims, is directed to a communication controller that receives updating data from the Internet to update an event controlling program. According to the presently claimed invention, the event controlling program is updated using the updating data that has been received by the communication controller. Thus, the event controlling program in the digital broadcast receiver can be easily updated. Applicants submit that at least this feature is lacking from the claims of the co-pending applications and patent noted by the Examiner. Accordingly, Applicants submit that the various grounds for the 35 U.S.C. § 101 and provisional judicially created double patenting rejections no longer exist, and respectfully request their withdrawal.

Applicants further respectfully traverse the 35 U.S.C. §103(a) rejection of claims 1-6 as being obvious over U.S. Patent 5,801,696 to ROBERTS in conjunction with "Official Notice".

In the present invention, an event is sent to an executing application based on receivable event information. The event controlling program sends the event to the executing application when the receivable event information identifies that the event can be received by the executing application. According to a feature of the present invention, the communication controller receives update data through the Internet to update the event controlling program. Utilizing the Internet to obtain the update data allows the digital broadcast receiver of the presently claimed invention to easily update the event controlling program in the receiver. Support for this feature may be found, inter alia, at page 39 of

Applicants' specification.

Applicants submit that at least this feature is lacking from the applied art of record.

ROBERTS discloses the sending of an event to a focused application. However, Applicants submit that ROBERTS does not disclose or suggest sending the event to an executing application when receivable event information identifies that the event can be received by the executing application. Applicants further submit that ROBERTS does not disclose or suggest updating the event controlling program via update data obtained through the Internet.

Nor are these features old and well-known in the art to which the present invention pertains to qualify as "Official Notice". Accordingly, Applicants submit that if one attempted to combine the teaching of ROBERTS and "Official Notice" in the manner suggested by the Examiner, one would fail to arrive at the instant invention, as such a combination would lack, at least, the sending of the event to an executing application when receivable event information identifies that the event can be received by the executing application, and the updating of the event controlling program via update data obtained through the Internet, as taught by the presently claimed invention. In this regard, should the Examiner attempt to maintain the present rejection, he is respectfully requested to refer Applicants to a prior art document that discloses the feature(s) the Examiner attempts to rely upon as being "Official Notice".

By the current amendment, Applicants cancel claims 1-6 and submit new claims 7-19 that more clearly define the present invention, as discussed above. Applicants submit that the newly presented claims are allowable over the applied art of record for at least the reasons discussed above. Applicants submit that the present invention, as defined by the

newly submitted claims, is allowable over the art of record, and respectfully request withdrawal of the 35 U.S.C. § 103 rejection, an indication of the allowability of the pending claims, and the passage of this application to issue.

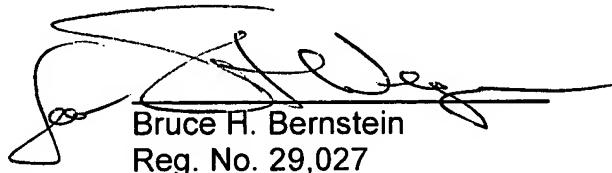
SUMMARY AND CONCLUSION

In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. § 1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. § 1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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